

Proposed Comments to MPCA on Composting Rules

- It is time to move forward on the formal rule making process. This current rulemaking process started in 2010 and new rules should be promulgated as quickly as possible in order to allow market forces to begin working.
- **Subp. 7:** We strongly support the concept of the new “small compost site” language. This language will go a long way to assist many of the over 100 community gardens and others in the City that are interested in composting organic materials –saving them money on water, fertilizers and other soil amendments.

However, we suggest that it be amended to allow for feedstock to be approved by local government units as allowed by municipal ordinance. For instance, the City of Minneapolis has a chicken license that requires, among other things, the consent of 75% of the neighbors within 100 feet from the subject property. Some Minneapolis residents with city-permitted chickens would like to be able to compost the manure and bedding that their birds generate. (Chicken manure compost is very high in nitrogen and also contains a good amount of potassium and phosphorus.). Other feedstock, such as certain non-recyclable paper might also be appropriate based on the technology and operations of the small compost site.

- We strongly support the addition of a new section in Chapter 7035 to address the combination of food and yard waste with the addition of bulking agents that would remove an existing barrier to expanded composting of organics. These revisions for source separated organic materials (SSOM) facilities could help bring down costs for residential source separated organics (SSO) collection.
- **Subp 8:** The City is supportive of language that would make it easier to permit SSOM facilities.
 - Parts A-C. The state should modify these rules as new information becomes available on the groundwater impacts at SSOM facilities based on the MPCA funded research in Carver County and the Minnesota Arboretum.
 - Part D. This language is confusing. Local government units should only be allowed to reduce, not increase, the 500 feet requirement.
- **Subp. 9 Part G:** We suggest that this be changed to three feet. Again we would encourage the state to modify rules based on new information as it becomes available.
- **Subp 11 Part D:** Delete the last sentence as this is an unnecessary requirement.
- Generally, we encourage the agency not to be too prescriptive in developing these new rules. This includes streamlining the permitting process and lowering the financial barriers for developing SSO composting sites and to match the protective measures in the rules with the actual risk posed. The state and nation have greatly increased our knowledge base on how to manage these materials over the last decade. Undue regulatory burden would raise

costs, limit competition and make it difficult to achieve the agency's Metropolitan Solid Waste Policy Plan for 2010-2030.

- Finally, while not a part of this process we would strongly encourage the Minnesota Pollution Control Agency to meet with the Minnesota Department of Agriculture to discuss options for making it easier for Emerald Ash Borer infested areas to co-collect yard waste and food waste.